

SUMMARY REPORT

DMV IMPACT ON HIGHWAY SAFETY OF MULTIPLE ADMINISTRATIVE DRIVER LICENSE WITHDRAWAL SYSTEMS RESEARCH

Contract 404731-001

Presented by

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Presented February 15, 2002

Revised March 19, 2002

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BACKGROUND AND OBJECTIVES OF THE OVERALL RESEARCH PROJECT

Background/Objectives

The research program presented here addressed the problem areas described in the initial Request for Services. The existing system of three distinct listings of traffic violations used for administrative suspensions or revocations and for the extension of driver license restrictions has created problems. Specifically, three problems with the current system were identified:

1. The current system is not easily understood because the criteria vary by type of administrative action;
2. Under Wisconsin's current system, points cannot be assessed for out-of-state convictions; and
3. The complexities in the current system have created administrative inconsistencies and have negatively impacted driver licensing: (1) many people drive without licenses after administrative withdrawal, and (2) though smaller in number, drivers with out-of-state convictions continue to drive even though Wisconsin would have suspended their licenses had the violation happened in-state.

The complexities of the three-pronged system, along with the growth in revocations and suspensions (up 70,000 from 1997 to 1999 according to the Bureau of Driver Services) can negatively impact highway safety because drivers don't understand the system and because it can't be administered consistently.

Summary of Research Activities

In addressing these concerns, the Wisconsin DOT, DMV, and the Bureau of Driver Services Revocation and Suspension Section highlighted five research issues:

- (1) Identify how well Wisconsin drivers understand the current system and what impact that understanding has on driver licensing and highway safety;
- (2) Identify alternative administrative actions used by other states and their impact on highway safety;
- (3) Identify alternative ways of structuring Wisconsin's administrative withdrawal systems and analyze the potential for greater understanding, consistent application, and increased highway safety for each alternative;
- (4) Assess the level of acceptance by the public for each type of administrative action from the following groups -- the legislature, the courts, district attorneys, and insurance companies [this list was later expanded to include law enforcement];
- (5) Determine the extent to which the alternatives would allow Wisconsin to process convictions of out-of-state drivers in Wisconsin, and convictions of Wisconsin drivers occurring in other states, in a consistent manner

OVERALL RESEARCH METHODOLOGY

Background

The scope of the entire research program was based on a Pyramid Approach to generating knowledge and insight. This approach builds knowledge from the bottom up—extensive exploratory or qualitative research establishes foundations, followed by more specific and generalizable quantitative/descriptive research efforts. In this report we summarize the conclusions drawn from the various research components. Four additional reports are provided, along with a supplemental secondary research guide. The four reports are: (1) Qualitative Research Report, (2) Wisconsin Resident Study, (3) Study of DMV Coordinators/Senior Officials Across the United States, and (4) Study of Key Publics in Wisconsin.

Qualitative Research

We used five specific qualitative research methodologies (see Qualitative Research Report for details):

- (1) **Advisory Committee:** A steering committee consisting of members from a wide range of key publics, including DMV Staff, Judiciary, Legislators, Attorneys/DA's, Insurance, and Law Enforcement;
- (2) **Internal/External Key Informant Interviews:** Interviews with internal DMV staff, experts in Wisconsin, and experts across the U.S.;
- (3) **Secondary Data Search/Literature Review ;**
- (4) **Focus Groups,** consisting of Wisconsin drivers who have and have not had their license suspended because of Wisconsin's Point System;
- (5) **DMV Steering Committee,** brought together after results from the Resident and DMV Coordinator studies were available. The Steering Committee helped determine the content of the final questionnaire administered to Wisconsin Key Publics.

Quantitative Research

We conducted three survey-based research studies (see individual reports for details):

- (1) **Wisconsin Residents Study:** A survey administered to 1,457 Wisconsin drivers. The survey was conducted at DMV sites across the state and focused on knowledge of the Points System, driving behaviors, and attitudes
- (2) **Study of DMV Coordinators/Senior Officials Across the U.S.:** A survey administered to DMV Coordinators/Senior Officials across the U.S., and focused on practices, perceptions of their driving publics, key concerns, and attitudes. A total of 41 of 50 states (including DC) responded;
- (3) **Study of Key Publics in Wisconsin:** A survey administered to targeted key publics within Wisconsin (Judiciary, Law Enforcement, Legislators, Attorneys/DA's, and

Insurance Industry), and addressed key insights gleaned from the other stages of the research process. We received 22 responses.

SUMMARY OF KEY FINDINGS ACROSS THE QUALITATIVE AND QUANTITATIVE RESEARCH STAGES

In this section of the report, we summarize the key findings from the Focus Group Report, the Wisconsin Residents Study, the Study of DMV Coordinators/Senior Officials, and the Study of Key Publics. The individual reports give much greater detail.

FOCUS GROUP REPORT

Background/Objectives

Given the project's primary focus to improve Wisconsin residents' understanding of the current license revocation, suspension, and extension of restriction system, it was important to have preliminary discussions with the target audience. One outcome of these discussions was to generate insight into the questions and response categories to be included on the Wisconsin Resident Study Questionnaire. Because we needed to get input from "safe" and "unsafe" drivers, we separated the focus groups into two categories: (1) Offenders (those who have had their license suspended because of Wisconsin's Point System), and (2) Non-Offenders. Please see the Offender and Non-Offender Focus Group Report for a detailed reporting.

Design of Moderator Guide and Procedure

The moderator guide was constructed based on a review of the literature, the Advisory Committee, and the Key Informant Interviews. Representatives from Knupp & Watson conducted six focus groups, comprised of drivers in Milwaukee, Green Bay, and Eau Claire. We conducted Offenders and Non-Offenders focus groups in each city. Offenders represented individuals who had their license suspended at least once for traffic offenses (NOT for non-traffic offenses); Non-Offenders have never had their license suspended. The DMV provided the list of Offenders. Group sizes ranged from 9 – 18 people, with a total of 88 participating across the six focus groups (40 offenders and 48 Non-Offenders). All groups were relatively balanced in terms of age. In terms of gender, non-offender groups were balanced in terms of males and females. In contrast, because offenders are much more likely to be male, all three offender groups were skewed male. Approximately 1/3 of the two Milwaukee focus groups were made up of minorities.

Summary of Findings

The primary purpose of the focus groups was to generate insight into the types of question and response categories that we would need to include in the Wisconsin Resident Questionnaire. So the findings should be seen in light of this objective and not in terms of generalizable conclusions. With that said, the more consistent themes/findings in Tier One have some partial face validity. The following analysis clusters the various categories of responses into three tiers. Tier one—categories mentioned and/or utilized by most respondents; tier two—categories mentioned and/or utilized by many respondents; and tier three—categories mentioned and/or utilized by few respondents. These categories cover seven topics:

1. Understanding of traffic safety
2. Understanding of the points system
3. Understanding of the suspension/revocation system
4. Understanding of out-of-state violations, habitual traffic offender program (HTO), and graduated drivers license program (GDL)
5. Experience with suspension/revocation
6. Experience with courts and traffic school
7. Opportunities for enhancing traffic safety

Some of the following comments reveal misunderstandings of the system, but they were mentioned frequently by respondents and are included below.

Tier One (most respondents)

- Understanding the requirements for driving in various conditions such as weather, the road, traffic, pedestrians, daylight, etc.
- Looking out for the other driver and paying attention to conditions outside the car
- Considerate driving behavior
- Most respondents do not understand the current points system for suspension/revocation
- Drivers license begins with 12 points and then lose points with violations
- Drunk driving and alcoholism are the most serious driving offenses
- Losing the use of a car is strong deterrent against violations
- The loss of work or job because of suspension is a strong deterrent against violations
- Most respondents do not understand the current system for habitual traffic offenders
- Habitual traffic offenders are associated with drunk drivers
- There is no uniform system for assessing violations across states
- The point system did not substantially affect driving behavior prior to or after suspension
- The language in the letter of notice is too wordy and should be short, direct and simple
- Respondents felt they deserved to lost their license the first time but not the second.
- Almost all drivers continue to drive after suspension
- Almost all drivers use work as the reason to drive after suspension
- The current laws about not driving while suspended are not realistic
- The state cannot dictate behavior
- Drivers have individual rights beyond laws regardless of having a license

- Education/continuing education is an effective tool to change driving behaviors
- Regular and frequent road tests are an effective tool to assess drivers
- Harsher penalties will deter drivers against violations and driving after suspension

Tier Two (many respondents)

- Knowing the laws of the road and common driving courtesies
- More serious violations carry more points
- Three to six violations will result in suspension/revocation
- Drivers get points back with good driving at one point per year
- Drivers can take driving classes to get points back
- Four violations result in suspension/revocation
- Negative consequences of suspension/revocation will deter violations
- The largest cost of suspension/revocation is insurance
- Thinking about one's children is a strong deterrent against violations
- An occupational license is an alternative to suspension/revocation
- Each state has a different system for assessing points
- There should be a nationwide points system
- Most respondents do not understand the current system for graduated drivers license
- The graduated drivers license is in kid's best interest
- The meaning of the letter of notice is unclear
- Most respondents did not recall receiving the letter of notice
- For those that did not recall receiving the letter of notice, it would not have meant much
- Emergencies were viewed as a reason to drive after suspension
- Speeding was the second most frequent cause of suspension
- Suspended drivers drive more cautiously and take different routes to work to avoid police
- Use of technology can be effectively used to promote traffic safety
- Regular drivers education is an effective tool to improve driving behaviors
- Provide an incentive for good driving rather than penalty for bad driving

Tier Three (few respondents)

- Practicing safe driving habits inside a car, such as not eating, reading, using a phone, or being distracted in conversation
- Driving or not driving appropriate for one's age
- Disabilities or illnesses may be serious driving offenses
- Reckless driving is a serious driving offense
- Traffic court is embarrassing
- Appearance at court is mandatory
- Almost all respondents do not understand the process of traffic court
- Current traffic school is not an effective method for changing behavior

EXECUTIVE SUMMARY: WISCONSIN RESIDENT STUDY

Background/Objectives

This report presents the findings from a statewide survey of Wisconsin residents to accomplish the following objectives:

Primary: “To identify how well the current system is understood by Wisconsin drivers and what impact that understanding has on driver licensing and highway safety.”

Secondary: “Identify alternative ways of structuring Wisconsin's Administrative Withdrawal Systems and analyze the potential for greater understanding, consistent application, and increased highway safety for each alternative.”

Procedure

Representatives from Knupp & Watson visited the 43 target DMV locations and administered the surveys on site (due to scheduling requirement, two sites were surveyed by DMV personnel and mailed back to Knupp & Watson). Prior to the site visits, DMV sent a letter to all sites to inform them of the visit and the study objectives. Most individuals agreed to complete the survey. The surveys were collected across all hours of operations. In total, 1,457 surveys were collected across the State of Wisconsin. The total number of completed responses for individual questions ranged from a high of about 1,447 down to 1,390 (income question). This results in a margin of error of between 2.6% to 2.7%.

FINDINGS

Understanding of Wisconsin's Points System For Assessing Drivers and Traffic Violations

On a scale ranging from 1 = none of it to 5 = most/all of it, respondents were asked to self-report their level of understanding of Wisconsin's Points System. In general, state residents do not feel that confident in their understanding of Wisconsin's Point System. Specifically, 71.3% indicated either they understood none of it (11.5%), a little bit of it (30.6%) or some of it (29.2%). Only 28.7% indicated either much of it (15.6%) or all of it (13.1%). The average understanding score was 2.88.

Specific Questions About Wisconsin's Point System

- (1) **Gain/Lose Points:** Only 33.8% of the respondents knew that drivers begin with zero points and gain points with violations. This finding is consistent with the relatively low self-reported understanding scores for Wisconsin's Point System and suggests that Wisconsin drivers lack considerable knowledge of how the Points System works.

- (2) **Number of Points:** Although respondents were not well informed about whether points are gained or lost, 64.7% were able to correctly identify “12 points gained/lost” as the level where a driver’s license is automatically suspended.
- (3) **When Points Are Removed From Counting on Record:** Only 41.7% of the respondents knew that points for a particular violation are removed after 12 months; 22.6% were uncertain, and 35.1% gave an incorrect response.
- (4) **Shortest Suspension Period:** As with many other knowledge questions, respondents were relatively uninformed regarding the minimum amount of time that you can have your license suspended. Specifically, only 21.1% correctly identified two months as the minimum suspension period; 33.9% indicated uncertain and 45% provided an incorrect period.

Summary: In combination, these findings suggest that Wisconsin residents lack a detailed understanding of the Points System for administratively withdrawing a drivers license.

Graduated Drivers License Program

- (1) **Familiarity With GDL:** A total of 38.3% of responding drivers indicated that they are familiar with Wisconsin’s Graduated Drivers License Program.
- (2) **Attitude Toward Double Points/Longer Suspension:** A total of 71.3% of the respondents felt that GDL drivers should be assessed double points and/or given longer suspensions,

Impact of WI's Points System And Possible License Suspension On Driving Behavior

On a scale ranging from 1 = no impact to 5 = major impact, participants were asked to indicate how much the Points System impacted the way they drive; 63.3% of the respondents felt that the Points System and possible license suspension had some (21.7%), moderate (14.2%) or a major impact (27.4%) on the way that they drive. In contrast, 36.7% indicated either no impact (27%) or a slight impact (9.7%). The average impact score was 3.05.

Relative Important Of Penalties If You Got A Speeding Ticket/Traffic Violation

The impact on insurance was selected most frequently (47.6%) as the main concern, followed by the fine that they would have to pay (31.4%), and points for the violation (selected by only 21.1% of the respondents).

Likelihood of Driving if License Was Suspended

A total of 43.4% of the responders said that they would drive at least once if they had their license suspended.

Habitual Traffic Offender Law

- (1) **Familiarity:** 63% of the respondents understand none of it (37.1%) or only a little bit of it (26.0%); only 13.9% understand much of it (8.2%) or most/all of it (5.7%). The average understanding score was 2.2, marginally better than a little bit of it.
- (2) **Penalties/Solutions:** Respondents were asked to select two of five options for convincing HTO's to drive more safely. The responses in order were: (1) longer license suspensions (564 responses), (2) greater fines (468 responses), (3) better counseling/education (404 responses), (4) take away car/plates (374 responses), and (5) long jail times (68 responses).

Those Who Have Had Their License Suspended Because of the Points System

- (1) **Percent Suspended:** Of the respondents, 20.1% said they have had their license suspended because of the Points System/Traffic Violations.
- (2) **Number of Times Suspended:** The most common number of times were one (55.9%) and two (27.6%).
- (3) **Driving Behavior During Suspension:** 75.3% of the respondents with suspended licenses said they drove during suspension. This is much higher than the hypothetical question posed to all residents. A total of 36.6% said that they drove many times (14.8%) or as often as before (21.8%). Given the fact that socially undesirable behaviors are often underreported, the actual percentage could be even higher.

General Attitudinal Questions

- (1) **Traffic Violations Wisconsin Drivers Commit In Other States Should Be Counted In Their Wisconsin Points:** 56.7% of the respondents either strongly agreed (21.4%) or agreed (35.3%); average agreement score = 2.68. Conclusion: general support for counting out-of-state violations.
- (2) **The Number Of Points I Have Affect The Way I Drive:** 47.1% either strongly agree (16.0%) or agreed (31.1%); average agreement score = 2.77. Conclusion: points have a moderate impact on driving behavior.
- (3) **I Think Wisconsin's Points System Is A Good Idea:** 65.1% either strongly agree (22.9%) or agreed (42.2%); average agreement score = 2.28. Conclusion: general support for the points system.
- (4) **I Am Worried About How Many Points I Have:** 35.3% strongly agree (13.0%) or agreed (22.3%); average agreement score = 3.04. Conclusion: generally not concerned with number of points.

Analysis of Interrelationships

The previous analyses examined aggregate responses for the individual questions. In this section we analyze responses in terms of six responder categories: (1) whether respondents have ever had their license suspended because of the Points System/traffic violations, (2) number of traffic violations in the previous two years, (3) whether have ever had an Operating While Under the Influence (OWI) violation, (4) gender, (5) age, and (6) annual household income.

- (1) **Suspenders vs. Non-Suspenders:** Individuals who have had their license suspended are more knowledgeable about the Points System and its rules/policies. Similarly, because non-suspenders have had less experience with the Points System, it has much less impact on how they drive. Apparently, the system has an impact only “after” someone has felt its consequences.
- (2) **Number of Traffic Violations:** Overall, and as might be expected, the pattern of responses related to the number of traffic violations in the past two years is similar to the suspender/non-suspender differences discussed in the preceding section.
- (3) **OWI Citations vs. No OWI Citations:** Although consistencies existed, fewer significant differences were found as compared to suspenders vs. non-suspenders and the number of traffic violation groups.
- (4) **Men vs. Women:** Men are more knowledgeable about the Points System; women are more familiar with the GDL Program. In addition, women more strongly supported counting out of state violations, are more likely to view HTO’s as unsafe drivers, feel the Points System is a better idea, and state that they are more careful drivers. Men are more worried about how many points they have.
- (5) **Age Differences:** *Older* individuals best understood about gaining points, were least likely to have driven if suspended, more strongly support counting out of state violations, say that points affect their driving more, and like the Points System better. *Younger* individuals like the GDL Program the least, are more likely to have driven if suspended, and would do so if suspended again.
- (6) **Income Differences:** Higher as compared to lower income respondents better understand the Points System, were more familiar with GDL, had greater support for longer suspensions, had greater support for counting out-of-state violations, and were less likely to have their license suspended.

Conclusions/Generalizations

- (1) We have established a baseline by which the success of future traffic safety strategies and tactics may be measured.
- (2) Currently, and against original expectations, knowledge of the Points System doesn’t improve driver safety. Efforts to increase understanding prior to suspension would be needed to better assess the relationship between knowledge and prevention. Because residents support the Points System, communications which improve understanding should be well received.
- (3) Although familiarity with the GDL Program is low across the general public, familiarity is higher for young drivers and their family; support for the program is very high.
- (4) Impact on insurance is the greatest concern for drivers. An important question is how “costs” can play a greater deterrent role.
- (5) The general public would support counting points for out-of-state violations.
- (6) Driving after suspension is an obvious problem, and the challenge to reduce the number of multiple offenders is a formidable one. But the general public broadly supports whatever efforts are needed to improve traffic safety.

EXECUTIVE SUMMARY: DMV COORDINATORS/SENIOR OFFICIALS STUDY

Background/Objectives

This report presents the findings from a national survey of DMV Coordinators/Senior Officials to accomplish the following objective as specified in the RFP:

“Identify Alternative Administrative Actions Used by Other States and Their Impact on Highway Safety.”

Procedure

A census of all State DMV Coordinators-Senior Officials (or related title), including the District of Columbia, was utilized. A cover letter and questionnaire were sent to each individual. As an incentive, respondents were told that they could get a copy of the results. Two additional follow-up letters and reminder e-mails increased the overall number of responses. After the three mailing waves and reminder e-mails, a total of 41 out of a possible 50 (49 states plus the District of Columbia) Coordinators-Senior Officials returned a completed survey, for a response rate of 82%. This response rate is very high compared to similar studies and targets.

FINDINGS

Whether State Has A Points System For Administratively Withdrawing Driving Privileges

A total of 33 of the 41 responding states (80.5%) use some sort of points system for withdrawing driving privileges. The remaining states use a system which quantifies the “number of traffic violations.”

Understand of Administrative System For Assessing Traffic Violations

On a scale ranging from 1 = none of it, to 5 = all of it, the average understanding score across the 38 responding states was 3.39. This translates into an understanding score approaching the mid point of the “some of it”/”much of it” interval scale points. In total, 10.5% felt that their drivers understand a little bit of their system, 42.1% said some of it, 44.7% indicated much of it, and only 1 (2.6%) said all of it (none said none of it). In combination, these findings suggest that many states have an awareness/knowledge problem consistent with the findings of the Wisconsin Resident Study.

When Points (or Equivalent) Are Removed From An Offenders Record

Three years was the most frequently mentioned time period for removing points/violations from the record (34.2%), followed by two years (28.9%), and one year (18.4%). Wisconsin uses a 12-month revolving timeline.

Graduated Drivers License Program

- (1) *GDL Program*: A total of 43.9% of the responding states have a Graduated Drivers License program. We noted that six states checked no, yet described a system that included a GDL-like program for young drivers. In review, respondents provided these “negative” responses because their system was not exactly like Wisconsin’s. Including these responses, the number of states with a GDL program increased to 66.7%.
- (2) *Effectiveness*: On a 5-point effectiveness scale ranging from 1 = very ineffective to 5 = very effective, average effectiveness score was 3.65 for GDL Programs. In total, 58.8% of the responding states felt that their program was effective and 29.4% gave it a neutral rating. Six respondents indicated their GDL program was in the early stages and so no clear effectiveness rating was given.

Counting Out-of-State Violations Against Your State’s Drivers

All but one respondent (97.4%) felt that out-of-state violations should count against state drivers.

Best Ways To Convince Repeat Offenders to Drive More Safely

The participants were asked to select two from a list of five possible consequences and/or activities that might help persuade HTO’s to drive more safely. Take away car/plates and better counseling/education (both with 17 mentions) were the top two choices; followed by longer license suspension (13 mentions), longer jail time (12 mentions), and greater fines (6 mentions).

Habitual Traffic Offender Law

- (1) *Have an HTO Law*: A total of 61.5% (24) of the responding states have an HTO program similar to Wisconsin.
- (2) *Effectiveness*: On a 5-point effectiveness scale ranging from 1 = very ineffective to 5 = very effective, the respondents rated the effectiveness of their HTO program. The data suggest that the effectiveness of HTO programs has considerable room for improvement. Specifically, only 35% said effective or very effective (one response). The average effectiveness score was 3.3, somewhat above neutral effectiveness. North Carolina, the only state that said its program was very effective, uses the following plan:
“Everyone begins on the 12-point system for 3 years. If 12 points are reached, driver is suspended. After serving the suspension, driver is placed on an 8-point system for three years. If not suspended, after the 3 years driver goes back to the 12-point system.”

Warning Letters

- (1) *Have a Warning Letter Program:* 70.7% of the responding states use warning letters.
- (2) *Effectiveness:* On a 5-point effectiveness scale ranging from 1 = very ineffective to 5 = very effective, respondents rated the effectiveness of their Warning Letter program. On average, the responding states feel that their warning letter program is between effective and neutral effectiveness. Specifically, 42.9% felt that the warning letter program was effective, 35.7% indicated neutral effectiveness, 14.3% said very effective, and 7.1% said ineffective. This translates into an average effectiveness score of 3.64.

Effectiveness of Traffic Safety Schools In Reducing Traffic Offenses By Attendees

Traffic safety schools were not well regarded by responding states. A total of 39.1% said they were of neutral effectiveness and 34.8% said ineffective; 21.7% felt that they were effective and only 1 (4.3%) said that traffic safety schools were very effective. The average effectiveness score was 2.96, which is a neutral effectiveness rating.

Percent Of Drivers Who Still Drive After Their License Is Suspended and Trend

- (1) *Percent:* The states were asked to estimate the percentage of their drivers who drove while suspended or revoked. Some states didn't have an opinion. Although no states provided survey-based quantitative data, the average response was 51.7%. The responses were also grouped into percent quartiles. The highest inappropriate driving quartile was 26-50% (38.5%), followed by 51-75% (23.1%), 76+% and 25% (both with 19.2%).
- (2) *Getting Better, Worse, or Staying the Same?:* Although the majority (57.1%) of the respondents felt that the problem is staying about the same, 34.3% indicated that the problem was getting worse in their state and only 8.6% said that it was getting better.

How Effective Is Current System For Making Your Roads Safer?

On a 5-point effectiveness scale ranging from 1 = very in effective to 5 = very effective, the respondents indicated how effective they thought their current system is for making their roads safer. Six states were uncertain. Most states felt their system was at best neutrally effective for making their roads safer (62.9%). A total of 28.6% indicated effective, 5.7% (two respondents) said ineffective, and only one respondent (2.9%) said very effective. The average effectiveness rating was 3.29, which is somewhat above neutral effectiveness.

A Concentrated Effort To Communicate In The Past Three Years

A total of 52.6% of the responding states have undertaken a concentrated effort to communicate with drivers about their policies regarding points/penalties, suspensions/revocations, or other related programs in the past three years.

Best/Most Innovative Things About Administrative System

Innovative aspects of administrative systems fell into three categories: (1) Ease of Understanding = Treating Everyone Alike, (2) Progressive Sanctions and Processes, and (3) Automation/State-of-the-Art Systems.

Worst Things About System

The most frequently mentioned problem is the opposite of what was mentioned as one of the best/most innovative aspects of their systems - - that not everyone was treated alike and the lack of mandatory penalties/actions. A second complaint involved court reporting procedures.

Handling of Plea Bargains

Of those responding to this question, four indicated that plea bargains result in lesser charges or reduced points. An additional nine indicated plea bargains were via reduced charges/violations. Four states provided comments not specific to points and/or charges reduction.

Percent of Drivers Revoked/Suspended Per Year Solely Because of Traffic Violations

Only 16 of the 41 states were able to estimate revocations/suspension due solely to traffic violations. The percentage ranged from 1 to 40%. A total of 50% of these responses fell in the 9% or below range, and 75% in the 20% or below category.

Whether State Revokes/Suspend Licenses For Non-Payment of Tickets

A total of 95% of the responding states suspend or revoke licenses for non-payment of tickets.

Analysis of Interrelationships

The previous analyses examined aggregate responses for the individual questions. The responses were also analyzed in terms of two different categories: (1) whether or not a state uses a Points System (33 have a Points System, 8 do not), and (2) whether the state has undertaken a comprehensive communications campaign in the past three years. In general, the type of administrative withdrawal system had relatively few meaningful differences. However, whether a state has conducted a concentrated communication campaign in the past three years seemed to impact the findings. Specifically, (1) states that have conducted a campaign report a better understanding of their administrative withdrawal system; (2) although all states had more “getting worse” responses than “getting better” responses, the trend line is worse for states that have not had a communication campaign within the past three years; and (3) states that have conducted a campaign report a considerably higher effectiveness evaluation for their current system.

Conclusions/Generalizations

- (1) Wisconsin's research efforts exceed what has been done in other states.
- (2) Overall understanding of administrative withdrawal systems is low across the country. Communication efforts have proven successful in various states in enhancing awareness and knowledge.
- (3) Graduated Drivers License programs are gaining increasing acceptance across the U.S. and have received relatively high marks in a short period of time.
- (4) There is near unanimous support for counting out-of-state violations.
- (5) The HTO issue is important, problematic, and growing worse; effective solutions are limited.
- (6) A combined and determined approach for increased penalties and counseling is likely better than focusing on a more limited set of alternatives. An easy to understand system with progressive sanctions, mandated consequences, and automated procedures received greatest support.

EXECUTIVE SUMMARY: KEY PUBLICS STUDY

Background/Objectives

The study reported here is the third and final quantitative component within the research plan, and includes responses from five key publics: the legislature, the courts, district attorneys/law profession, law enforcement, and insurance companies.

The ultimate goal of this study was to generate feedback on issues that surfaced in the research program's earlier stages, including the qualitative portion of the research program, the statewide resident survey, and the national survey of DMV representatives.

In the Request for Proposal, the Department identified five separate objectives. Related to this study of Key Wisconsin Publics, the two most critical issues were:

“Assess the level of acceptance by the public for each type of administrative action from the following groups -- the legislature, the courts, district attorneys, and insurance companies.” [this was later amended to include law enforcement]

“Determine the extent to which the alternatives would allow Wisconsin to process convictions of Wisconsin, and convictions of Wisconsin drivers occurring in other states, in a consistent manner.”

Survey Design/Procedure

It is especially important to point out that the information in the Key Publics Questionnaire was largely based on information collected from previous stages of the research process – Literature Review, Advisory Committee, Key Informant Interviews, the Wisconsin Resident Study, and the National DMV Coordinators/Senior Officials Study. Rather than do a mass distribution of the questionnaire, it was decided that a select group of “informed” Key Publics members would be approached.

A total of 60 individuals were targeted for inclusion. The targeted participants came from a number of sources, including (1) judicial from DMV staff, (2) insurance from Advisory Committee members, (3) Senate and House Committees related to Transportation Safety issues, (4) Law Enforcement, (5) and the Wisconsin State Bar. In total, 22 responses were received, for a response rate of 37%. Of these 22 responses, (1) six were from the Judicial Community, (2) six from Insurance, (4) four from Law Enforcement, (5) two from Legislators or Legislative Staff, and (6) four from Attorneys.

FINDINGS

Counting Out-of-State Violations in Wisconsin's Point System

A total of 14 out of 21 respondents (66.7%) supported counting out-of-state violations in Wisconsin's Administrative Withdrawal System. Three consistent advantages of counting out-of-state violations emerged: (1) it would more accurately reflect/draw a better picture of an individual's driving record; (2) it is fair in that inappropriate driving behaviors are recognized regardless of where they occur; and (3) it promotes good driving behavior at all times. Three disadvantages also emerged: (1) different states have different systems/points structure; (2) increased complexity/confusion could be a problem; and (3) such a system might be more difficult to administer.

Advantages/Disadvantages of Five Different Solutions to the HTO Problem

We asked the Key Publics what they thought were the pros and cons of each of the following: (1) Greater Fines, (2) Long Jail Times, (3) Better Education/Counseling, (4) Take Away Car/License Plates, and (5) Longer License Suspension.

A. Greater Fines

Advantages: The primary advantage of imposing greater fines is that increased fines might serve as a deterrent to driving unsafely or while suspended. This form of punishment could have an impact on certain people.

Disadvantage: Three disadvantages emerged: (1) fines don't serve as a deterrent for many people because they don't pay them anyway; (2) the collection process is difficult; (3) fines disproportionately hurt the poor and their families, causing financial hardship.

B. Taking Away Offender's Car/License Plates

Advantages: Three interrelated advantages were mentioned for taking away an offender's car/plates: (1) could serve as a deterrent if public knew it would happen for negative driving behaviors; (2) makes it more difficult for someone to drive without easy access to a car; and (3) increases likelihood of getting driver off the road.

Disadvantage: Three disadvantages surfaced: (1) makes it difficult to get to work, especially those in rural settings; (2) many individuals can get access to someone else's car or buy a replacement; (3) hardship for other family members/co-owners who need to get around.

C. Long Jail Time

Advantages: Three advantages received consistent mention regarding long jail times: (1) could serve as a strong deterrent given the consequence and that it was communicated to the general public; (2) absolutely takes offenders off the road; and (3) unsafe drivers are temporarily taken off the roads.

Disadvantage: One overriding and interrelated disadvantage was identified—jails are already overcrowded, it costs money to build new jails, and room needs to be saved for serious criminals.

D. Better Counseling/Education

Advantages: Three consistent themes emerged: (1) knowledge/education is power, is a positive consideration, and should always be utilized; (2) starting early is good; and (3) will have an impact on certain people.

Disadvantage: Three disadvantages were identified: (1) a very costly approach, (2) not as likely to work on people as they become older; (3) although might work on someone who has had few negative driving behaviors, HTO's are beyond help through increased education.

E. Longer License Suspensions

Advantages: Two common advantages were discussed: (1) if the penalty is long enough/has some teeth, it might serve as a strong deterrent; and (2) might be a good idea if other things are in place to ensure that drivers don't drive during their suspension.

Disadvantage: Two related disadvantages are mentioned: (1) many people still drive after being suspended, so increasing the suspension length simply increases the likelihood of further breaking the law; and (2) HTO's don't seem to care that their license is suspended.

The Best Ways To Deal With Driving After Suspension

Summary: Although not meant to be descriptive of all Key Public members in Wisconsin, those surveyed here selected jail time most frequently – eight responses. Fines and education were each mentioned by five respondents, followed by taking away car/plates with four mentions. It's important to note that there seemed to be strong support for providing a combined solution in which the alternatives should be increased/jointly utilized

How Easy Do You Think Our System Is To Understand?

There seemed to be two schools of thought with regard to this question: (1) those who thought the Points System was very difficult/hard to understand (the majority), and (2) those who thought that it was not too bad (the minority). Given that the DMV Coordinators in the U.S. study view simplicity as a major asset, these responses should cause some concern.

What Do You Think About Mandated Penalties?

There was overwhelming support for mandated penalties, with 14 out of 18 respondents supporting them. It should be pointed out that some of the advocates, although in general support, were also careful to note that there might be some circumstances where some leeway is needed. The greatest support was for individuals with multiple violations.

Role Of Progressive Penalties and What Types

All but one respondent to this question advocated the continued use of progressive penalties, some advocated an even larger role. Various types of progressive penalties were mentioned, most commonly related to OAR or OWI/DWI. Fines and jail time were most often mentioned.

Level of Automation in Wisconsin Points System Administration

75% rated the level of automation as above average or better.

Conclusions/Generalizations

- (1) General support for counting out-of-state violations.
- (2) HTO's are a major problem, and an atmosphere exists for action in solving this problem.
- (3) Though not a unanimous opinion, the state's Points System is somewhat difficult to understand.
- (4) Strong support for mandated/consistent penalties.
- (5) Strong support for progressive penalties, most commonly in terms of fines and jail time.
- (6) Jail time and a combination of penalties/solutions had broad support.

COMMON THEMES ACROSS ALL STUDIES

The preceding pages summarized the findings and provided generalizations for each of four key research elements that were conducted as part of the Administrative Withdrawal Project: (1) Offender and Non-Offender Focus Groups, (2) Wisconsin Resident Study, (3) DMV Coordinator Study, and (4) the Key Publics Study. An examination of these summaries and the full reports should provide a wealth of information on which to base and justify future decisions. We conclude by offering 14 generalizations, most of which are based on a consistent set of findings across the various individual research components. It is important to note that these are not recommendations, only research-based generalizations.

- (1) Wisconsin seems to be ahead of other states in terms of initiating research in this area.
- (2) The findings from the Wisconsin Resident Study can serve as a baseline against which the success of future strategies and changes can be evaluated.
- (3) Knowledge/understanding of the Points System/Administrative Withdrawal System is relatively low. The Wisconsin Resident Study and the Study of Key Publics corroborate this fact. But a comparison of these results with the DMV Coordinator Study shows that the understanding of the Points System seems on a par with most other states.
- (4) Increased communication efforts could be quite useful for increasing driver knowledge and improving driver safety. This belief is justified in part from the DMV Coordinator Study, which showed that increased communications leads to better understanding of a state's administrative withdrawal system and self-reported effectiveness.
- (5) The Points System is possibly too complex, and efforts are needed to either simplify the rules/process or to increase educational efforts. This view is supported by the findings from the Wisconsin Resident Study and the Key Publics Study. The DMV Coordinator Study highlighted the importance of having a relatively simple administrative withdrawal system.
- (6) Graduated Drivers License programs are increasing in awareness, support, and effectiveness in Wisconsin and across the U.S. This is supported by the findings from the Wisconsin Resident Study, the DMV Coordinator Study, and the Key Publics Study.
- (7) Solid support exists for counting out-of-state violation in Wisconsin's Administrative Withdrawal System. This is supported by the findings from the Wisconsin Resident Study, the DMV Coordinator Study, and the Key Publics Study.
- (8) Solid support exists for having mandated penalties, or at a minimum, imposing penalties that are not open to too much creative interpretation. This is supported by the findings from the DMV Coordinator Study, and the Key Publics Study.
- (9) Progressive penalties have solid support, with special attention given to fines and jail time. This is supported by the findings from the DMV Coordinator Study and the Key Publics Study.
- (10) While automation of Wisconsin's Administrative Withdrawal System could be improved, it was not viewed as being that much of a problem (from Key Publics Study). Because the DMV Coordinator Study noted the importance of automation, innovations in this area will likely provide long-term benefits.
- (11) Warning letters are common in most states, though their effectiveness is a concern. The Offender Focus Group results suggest that many who had their license suspended didn't

recall receiving a letter, thought they were too complicated, and considered them not threatening enough to evoke action.

- (12) Driving after suspension is a problem nationally, and specifically in Wisconsin. All of the studies support this tenet.
- (13) HTO's are a problem, and many experts are resigned to the belief that solutions might be difficult if not impossible to find (from DMV Coordinator Study and Key Publics Study). Offenders in the Focus Groups were very forthcoming in their opinions that most HTO's, themselves included, often don't think of the consequences of their behaviors. Fortunately, because Wisconsin residents view HTO's as unsafe drivers, and the level of frustration is building across many Key Publics and internal DMV staff, there seems to be an atmosphere that is open to tackling this issue head on.
- (14) Although there is no one solution to convincing HTO's to drive more safely, there does seem to be a belief that a combination of stricter penalties, better education, progressive penalties, and mandated penalties are all needed to make a difference. There also seems to be a common viewpoint that a dedicated and unwavering commitment is needed to solve the problem.

Appendix A: Wisconsin Resident Survey Form

1. How many miles do you expect to drive over the next 12 months?
 <1,000 1,000-4,999 5,000-9,999 10,000-14,999 15,000-19,999 20,000+
2. How well do you understand Wisconsin's "Points System" for assessing drivers and traffic violations?
 None of it A little bit of it Some of it Much of it Most/all of it
3. Which of the following do you think best describes how WI's Points System works?
 You start with "good driving points" and **lose** points for traffic violations
 You start with "zero" points and **get** "bad driving points" for traffic violation
 Uncertain/I would only be guessing
4. How many points do you think *adult* drivers can *get/lose* before their license is automatically suspended?
 Uncertain 6 points 9 points 12 points 15 points 18 points
5. After a period of time, points for a particular violation are removed. Do you think this time period is....
 Uncertain 6 months 9 months 12 months 18 months 2 years
6. Using WI's Points System, what do you think is the shortest time period your license can be suspended?
 Uncertain 2 months 4 months 6 months 9 months 12 months
7. Are you familiar with WI's **Graduated Driver's License** for *drivers under 18 years old*?
 Yes No
8. Drivers with a **Graduated Driver's License** can be assessed *double* points for violations and have their license suspended for a *longer period of time*. Do you think this program for new drivers is a good idea?
 Yes No
9. Do you know approximately how many points that you have? Yes No
If yes, how many do you think you have? (put # of points here) _____ Points

10. How much do WI's Points System and possible license suspension impact the way you drive?

No Impact Major Impact

11. Suppose that you got a speeding ticket or some other traffic violation. Which **ONE** of the following penalties would be the **biggest** problem for you (**CHECK ONLY ONE**)?

- Points for the violation added to your record
- The *fine* you have to pay
- Impact on your insurance *premiums*

12. If you had your license suspended for two months based on WI's Point System, how much of a problem would this be for you?

No Problem Major Problem

13. If your license was suspended, do you think you might still drive at least once?

- Yes No

14. How well do you understand Wisconsin's Habitual Traffic Offender Law?

- None of it A little bit of it Some of it Much of it Most/all of it

15. Habitual Traffic Offenders have had their license revoked for serious, repeated violations. What do you think are the **TWO** best ways WI could convince these people to drive more safely? (**CHECK ONLY TWO**).

- Take away their car/plates Long jail time Better counseling/education
- Greater fines Longer license suspension Other _____

Previous Suspension

16. Have you ever had your license suspended due to WI's Points System/traffic violations?

- Yes No (**IF NEVER SUSPENDED, SKIP TO QUESTION 19**)

17. If yes, *how many times* have you had your license suspended? (put # of times here)

_____ Times

18. When your license was suspended, which **best** describes **how often** you drove? (**It is important that you are honest-- remember your identity is completely protected**).

- I never drove
- I drove a few times
- I drove, but not regularly
- I drove many times
- I drove as often as I did before I was suspended

Please indicate your level of agreement with each of the following statements.

	Strongly Agree	Agree	Neither A/D	Disagree	Strongly Disagree
19. Traffic violations <i>Wisconsin</i> drivers commit in <i>other states</i> should be counted in their Wisconsin points calculation					
20. A Habitual Traffic Offender is an “unsafe” driver					
21. WI points don’t really affect insurance rates that much					
22. The number of points I have affects the way I drive					
23. I think WI’s Points system is a good idea					
24. I am a careful driver					
25. I am worried about how many points I have					

This is an important section for helping us better understand WI drivers. Again, your identity is protected.

26. How many *traffic violations* have you had in the previous two years?
 None 1 2 3 4 or more
27. Have you ever had an Operating While under the Influence (OWI) violation?
 Yes No
28. Have you received a *citation* related to a car accident within the past five years?
 Yes No
29. Your age: Under 24 25-34 35-44 45-54 55-64 65 or older
30. Your gender: Male Female
31. Your annual household income: <\$20,000 \$20,000-34,999 \$35,000-49,999
 \$50,000+

THANK YOU FOR YOUR TIME. PLEASE PUT SURVEY IN THE DROP BOX.

Appendix B: DMV Coordinators/Senior Officials Study Survey Form

NOTE: We've reduced the size of the form for inclusion in this study. The actual survey form allowed ample room for responses.

Part 1: Basics of Your State's System for Administratively Withdrawing Driving Privileges:
About forty states have a points system; about ten do not. Please answer the following questions based on the type of system your state has.

1. Does your state have a points system for administratively withdrawing driving privileges?
 Yes No
2. If no, please describe the system your state uses to administratively withdraw driving privileges.
3. How well do you think drivers understand your administrative system for assessing traffic violations?
 None of it A little bit of it Some of it Much of it Most/all of it
4. How long after points (or your equivalent) are assessed are they removed from an offender's record?
 0-5 months 6-8 months 9-11 months 12 months 13-15 months Other_____
5. WI assesses *extra points* for drivers under 18 yrs old. Do you have a similar Graduated Drivers License program?
 Yes No
5a. If yes, please briefly describe your Graduated Drivers License (GDL) program.
5b. If yes, how effective is your GDL program?
Very Effective Very Ineffective
6. Has your state made *any recent changes* to its administrative withdrawal system? Yes No
6a. If Yes, what changes have you recently made?
7. Regardless of your state's current policies, do you think it's a good idea to count out-of-state violation against your state's drivers? Yes No

Part 2: Multiple Offenders

8. *Habitual Traffic Offenders* in Wisconsin have had their license revoked for serious, repeated offenses. What do you think are the **TWO** best ways to convince repeat offenders to drive more safely?
(CHECK ONLY TWO)
 Take away car/plates Long jail time Better counseling/education
 Greater fines Longer license suspension
Other _____
Other _____

9. Other than the penalties listed above, what innovative penalty do you think would be effective?
10. Wisconsin assesses extra penalties for Habitual Traffic Offenders. Do you have a similar program?
 Yes No
- 10a. If yes,** please briefly describe this program.
- 10b. If yes,** how effective is your program?
 Very Effective Very Ineffective
11. Does your state have a program in place for sending “warning letters” to offenders who are nearing suspension/revocation for multiple violations/points? Yes No
- 11a. If yes,** could you briefly describe this program?
- 11b. If yes,** how effective is this program?
 Very Effective Very Ineffective
12. How effective have traffic schools in your state been in reducing traffic offenses by attendees?
 Very Effective Very Ineffective
13. What percent of drivers in your state do you think still drive after their license is suspended or revoked? ____%
14. Do you think this problem....
 Is getting better Is getting worse Is staying about the same?
15. In your opinion, how effective is your current system for making your roads safer?
 Very Effective Very Ineffective

Part 3: Communications

16. In the past 3 years, has your state made a concentrated effort to communicate with drivers about policies regarding points/penalties, suspension/revocation, or other related programs?

Yes No

17. What do you think are the best ways to communicate with the driving public?

18. What are the biggest complaints **LEGISLATORS** have with your system? How do you resolve them?

19. What are the biggest complaints the **JUDICIARY** has with your system? How do you resolve them?

20. What are the biggest complaints **LAW ENFORCEMENT** has with your system? How do you resolve them?

21. What the biggest complaints **INTERNAL STAFF** have with your system? How do you resolve them?

22. Plea bargains in “points” states are often handled with a simple points reduction or switched charges. How are plea bargains handled in your state?

Part 4: About Your State and Last Impressions

23. What do you feel are the *best things/most innovative things* about your administrative system for withdrawing licenses (based on points or repeat offenses)?

24. What do you think are the worst things about your system?

25. The name of your state:_____

26. What percent of drivers have their license revoked/suspended per year solely because of traffic violations ____%

27. Does your state revoke/suspend licenses for non-payment of tickets? Yes No

Thank you very much for your cooperation.

Please provide your:

Name _____

Address _____

Phone Number _____

Email Address _____

We may need to contact you for additional clarification. We will also send you the results of this survey.

**Either mail completed survey back in the enclosed stamped envelope or fax to
Dr. Jimmy Peltier, 608-232-2301 (fax)**

Appendix C: Key Publics Survey Form

EXPERT SURVEY OF WI POINTS AND LICENSE REVOCATION OPTIONS

Background

Knupp & Watson, Inc., is a research company under contract with the Wisconsin Division of Motor Vehicles to conduct research on the state's system of assessing points, revoking/suspending licenses, and related issues.

Jeff Knupp of DMV shared your name with me based on your expertise/knowledge in traffic safety issues. In particular, we are looking for a "reality check" on some issues that have emerged from the research we've already conducted. *[Note that this sample is drawn from the surveys sent to judicial contacts. Other groups received slightly different explanations of how we selected them. Other than that, the surveys were identical.]*

A little background -- over the last nine months we have (1) conducted state-wide focus groups, (2) surveyed almost sixteen hundred WI drivers, (3) gathered secondary research on the way points are assessed and licenses withdrawn in other states and countries, (4) interviewed two dozen DMV counterparts in other states, and (5) conducted a detailed, four-page survey and received responses from forty-one states on this subject matter.

Research Objectives/The Help We Need From You

We'd like your input on four different topics, and then some general input. We'd like you to respond based on your personal experience in playing a role in the current system.

Perhaps the best way for us to get your response is for you to:

1. Review this email
2. Hit Reply, and
3. Send us back your answers.

Thank you in advance for your time and effort!

A. Out-Of-State Points

All but one of the states we contacted agreed that out-of-state points should count against their state's drivers. Currently, out-of-state traffic citations are recorded on a Wisconsin driver's record, but they don't count as points for that driver.

- 1) Do you think that out-of-state citations should add points to a Wisconsin driver's record?
- 2) What do you think are the pros and cons of counting these points?

B. Penalties for Habitual Traffic Offenders

Most states have Habitual Traffic Offender programs for "problem drivers." In Wisconsin, drivers with four major traffic convictions (or a combination of twelve major and minor convictions) in five years have their licenses revoked for five years as Habitual Traffic Offenders. We asked the states and in-state drivers to select what they felt were the two best

ways to convince Habitual Traffic Offenders to drive more safely. What do you think are the pros and cons of doing each of the following:

1) Taking away offender cars and/or plates

Pros

Cons

2) Longer jail time

Pros

Cons

3) Better counseling/education

Pros

Cons

4) Greater fines

Pros

Cons

5) Longer license suspension

Pros

Cons

In addition to these five ways, what else do you think might be effective to get Habitual Traffic Offenders to drive more safely?

C. Driving after Suspension/Revocation

About 70% of Wisconsin drivers who have had their licenses suspended or revoked said that they drove while the license was suspended or revoked. What do you think are the best ways to deal with this problem?

D. Innovative Systems and System Strengths

We asked the states what they thought were the most innovative aspects of their systems and what they thought were the worst and best features of their systems. A number of response categories emerged. They included: a) how easy they think their system is to understand, b) mandated penalties, which means treating everyone alike, c) progressive penalties, and d) level of system automation.

1) How easy do you think Wisconsin's current system is to understand?

2) What can we do to make our system more understandable?

3) What do you think about mandated penalties?

4) What role should progressive penalties play?

5) What types of progressive penalties would you suggest?

6) How would you rate the level of automation in the Wisconsin system?

7) What would be the most important things to have automated?

E. General Comments

We've covered a range of issues. In a more general sense, what do you think we should do to improve the system with regard to Habitual Traffic Offenders, the general driving public, law enforcement, and the judicial system? Is there anything else you can think of?

We thank you in advance for your cooperation in donating your time to making Wisconsin's roads safer.